

**CITY COUNCIL
ATLANTA, GEORGIA**

L.19

14-R-3825

A RESOLUTION BY COUNCILMEMBER KWANZA HALL AS SUBSTITUTED BY COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE CONSENTING TO THE EXPANSION OF THE LITTLE FIVE POINTS COMMUNITY IMPROVEMENT DISTRICT AS AUTHORIZED BY THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA IN THE ATLANTA COMMUNITY IMPROVEMENT DISTRICT ACT AND BASED ON THE CONSENT OF THE MAJORITY OF THE OWNERS OF REAL PROPERTY WITHIN THE EXPANDED BOUNDARIES; AND FOR OTHER PURPOSES.(SUBSTITUTED AND HELD 7/15/14 BY THE COMMITTEE FOR FURTHER REVIEW.)

Workflow List:

| | | |
|---|-----------|---------------------|
| Atlanta City Council | Completed | 07/16/2014 1:27 PM |
| Community Development & Human Resources Committee | Completed | 07/18/2014 9:44 AM |
| Atlanta City Council | Completed | 07/24/2014 12:27 PM |
| Community Development & Human Resources Committee | Pending | |
| Atlanta City Council | Pending | |

HISTORY:

07/07/14 Atlanta City Council REFERRED WITHOUT OBJECTION

RESULT: REFERRED WITHOUT OBJECTION

07/15/14 Community Development & Human Resources Committee HELD IN COMMITTEE

RESULT: HELD IN COMMITTEE [5 TO 0]
AYES: Dickens, Young Jr., Bottoms, Hall, Winslow
ABSENT: Michael Julian Bond
AWAY: Joyce Sheperd

07/21/14 Atlanta City Council REFERRED AS HELD

RESULT: REFERRED AS HELD Next: 7/29/2014 12:30 PM

RESULT: REFERRED AS HELD Next: 7/29/2014 12:30 PM

| Certified by Presiding Officer | Certified by Clerk |
|--------------------------------|--------------------|
| | |
| Mayor's Action | |

See Authentication Page Attachment

CITY COUNCIL
ATLANTA, GEORGIA

14-R-3825

SPONSOR SIGNATURES



Keisha Lance Bottoms, Councilmember, District 11

A RESOLUTION BY COUNCILMEMBER KWANZA HALL AS SUBSTITUTED BY COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE CONSENTING TO THE EXPANSION OF THE LITTLE FIVE POINTS COMMUNITY IMPROVEMENT DISTRICT AS AUTHORIZED BY THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA IN THE ATLANTA COMMUNITY IMPROVEMENT DISTRICT ACT AND BASED ON THE CONSENT OF THE MAJORITY OF THE OWNERS OF REAL PROPERTY WITHIN THE EXPANDED BOUNDARIES; AND FOR OTHER PURPOSES.(SUBSTITUTED AND HELD 7/15/14 BY THE COMMITTEE FOR FURTHER REVIEW.)

WHEREAS, by Act of the Legislature, 1991 Ga. L. 3653, as amended, (the "Act"), the Georgia Legislature enacted the Atlanta Community Improvement District Act; and

WHEREAS, on July 7, 2014, the Atlanta City Council approved Resolution 14-R-3508, creating the Little Five Points Community Improvement District , and

WHEREAS, a majority of the owners of real property within a proposed expansion of the Little Five Points CID, as shown on the map attached as Exhibit "A" comprising the parcels enumerated in Exhibit "B", which are incorporated by reference hereof, which will be subject to taxes, fees, and assessments levied by the District Board, have consented in writing to adding their property to the Community Improvement District ("CID") with boundaries as shown on said map; and

WHEREAS, the owners of real property within the above referenced expansion of the Little Five Points CID as shown on the map attached as Exhibit "A" comprising the parcels enumerated in Exhibit "B", which constitute at least 75% by value of all real property within the expansion of the said CID which will be subject to taxes, fees and assessments levied by the District Board, according to the most recent approved County ad valorem tax digest, have consented in writing to adding their property to the CID with boundaries as shown on said map; and

WHEREAS, the Atlanta City Council has determined that the expansion of such CID would be in the best interest of the citizens of Atlanta;

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF ATLANTA GEORGIA that the City of Atlanta consents to the expansion of the Little 5 Points Community Improvement District to be comprised of the geographical area as shown on the map attached as Exhibit "A" and comprising the parcels enumerated in the list attached as Exhibit "B".

EXHIBIT "A"

THE LITTLE FIVE POINTS COMMUNITY IMPROVEMENTDISTRICT MAP, DELINIATING THE
EXPANSION THEREOF

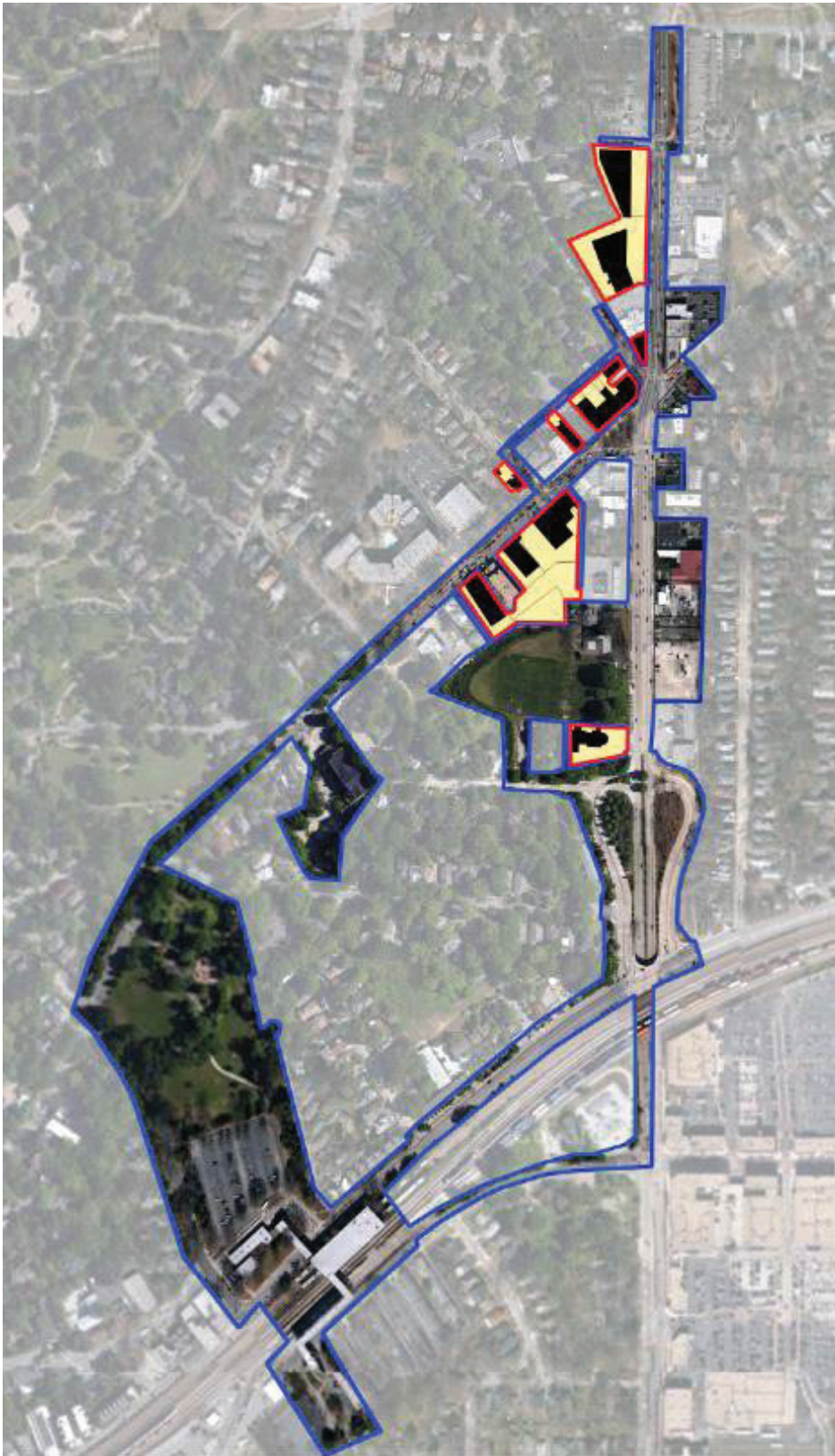


EXHIBIT "B"

Parcels Comprising the Expansion of the Little Five Points Community Improvement District

L5P CID ENLARGEMENT

Petitioning Properties

| | Parcel ID | Address | Owner | Assessment |
|--|-----------------|----------------------|--|---------------------|
| 1 | 14 001500070684 | 484 MORELAND AVE NE | LITTLE FIVE POINTS PARTNERSHIP | \$ 818,800 |
| 2 | 14 001500070171 | 0 SEMINOLE AVE NE | PARKING ASSOCIATION OF EUCLID AVENUE INC | \$ 30,080 |
| 3 | 14 001500070221 | 1152 EUCLID AVE NE | STOWERS SALLY J ET AL | \$ 340,000 |
| 4 | 14 001500070247 | 1140 EUCLID AVE NE | PENDERGRAST BUILDING L L C THE | \$ 275,560 |
| 5 | 14 001500070494 | 420 MORELAND AVE NE | MORELAND AVENUE ASSOCIATES LLC | \$ 317,760 |
| 6 | 14 001500070593 | 1174 EUCLID AVE NE | PUB PARTNERS L P | \$ 240,000 |
| 7 | 14 001500070619 | 424 SEMINOLE AVE NE | BLUE CHIP PIZZA PRODUCTS LLC | \$ 63,240 |
| 8 | 14 001500070635 | 450 MORELAND AVE NE | MAJORS PAMELA G & LITTLE FIVE POINTS PARTNERSHIP | \$ 1,024,000 |
| 9* | 14 001500070726 | 1166 EUCLID AVE NE | BLUE CHIP PIZZA PRODUCTS LLC | \$ 164,800 |
| 10 | 14 001500100655 | 1127 COLQUITT AVE NE | FUCHS BARRY M & PAULETTE M | \$ 203,160 |
| 11* | 14 001500130389 | 1091 EUCLID AVE NE | LITTLE FIVE POINTS PRTN SHP | \$ 458,280 |
| 12* | 14 001500130447 | 1129 EUCLID AVE NE | BLUE CHIP PIZZA PRODUCTS LLC | \$ 235,560 |
| 13 | 14 001500130496 | 292 MORELAND AVE NE | FAT CAT PROPERTIES LLC | \$ 264,000 |
| 14 | 14 001500130678 | 1107 EUCLID AVE NE | METROPOLITAN FOUNDATION OF ATL INC | \$ 41,680 |
| Petitioning Subtotal of District Assessment | | | | \$ 4,476,920 |

Non-Petitioning Properties

| | Parcel ID | Address | Owner | Assessment |
|--|-----------------|--------------------|--------------------------------|---------------------|
| 15 | 14 001500070718 | 1168 EUCLID AVE NE | VAILLANCOURT WAYNE L | \$ 96,200 |
| 16 | 14 001500070205 | 1160 EUCLID AVE NE | DKONYSIUS ASSET MANAGEMENT LLC | \$ 236,000 |
| 17 | 14 001500070213 | 1156 EUCLID AVE NE | KELLY & SANDRA LLC | \$ 321,160 |
| 18 | 14 001500070239 | 1150 EUCLID AVE NE | HARTZ JAMES E | \$ 298,120 |
| 19 | 14 001500130421 | 1111 EUCLID AVE NE | BANKS IRVING FAMILY TRUST | \$ 386,400 |
| 20 | 14 001500130454 | 1133 EUCLID AVE NE | FEINBERG STEPHEN ET AL | \$ 137,080 |
| Non-petitioning Subtotal of District Assessment | | | | \$ 1,474,960 |

Total Assessment \$ 5,951,880

Petitioning Properties as Percentage of Total Assessment 75.2%

as Percentage of Owner Count 55.00%

*

Indicates that this is a second or third parcel owned by the same entity. Petitions must represent a majority of owners and three parcels of the twenty total do not contribute to the owner count.

**A RESOLUTION BY
COUNCILMEMBER KWANZA HALL**



A RESOLUTION CONSENTING TO THE CREATION OF THE LITTLE 5 POINTS COMMUNITY IMPROVEMENT DISTRICT AS AUTHORIZED BY THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA IN THE ATLANTA COMMUNITY IMPROVEMENT DISTRICT ACT AND BASED ON THE CONSENT OF THE MAJORITY OF THE OWNERS OF REAL PROPERTY WITHIN THE DISTRICT BOUNDARIES; AND FOR OTHER PURPOSES.

WHEREAS, by Act of the Legislature, 1991 Ga. L. 3653, as amended, (the "Act"), the Georgia Legislature enacted the Atlanta Community Improvement District Act; and

WHEREAS, a majority of the owners of real property within a proposed district, as shown on the map attached as Exhibit "A"; and incorporated by reference hereof, which will be subject to taxes, fees, and assessments levied by the District Board, have consented in writing to the creation of a Community Improvement District ("CID") with boundaries as shown on said map; and

WHEREAS, the owners of real property within the proposed CID which constitute at least 75% by value of all real property within said CID which will be subject to taxes, fees and assessments levied by the District Board, according to the most recent approved County ad valorem tax digest, have consented in writing to the creation of a CID with boundaries as shown on said map; and

WHEREAS, the Fulton County Tax Commissioner has certified that the aforesaid majority and 75% by value of written consents are satisfactory, said Certification of Compliance being attached as Exhibit "B"; and

WHEREAS, it is the intention of the Atlanta City Council by activation of such CID, to enhance and supplement certain governmental services and facilities within said district; and

WHEREAS, the Atlanta City Council has determined that the activation of such CID would be in the best interest of the citizens of Atlanta.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF ATLANTA GEORGIA that the City of Atlanta consents to the creation of the Little 5 Points Community Improvement District to be comprised of the geographical area as shown on the map attached as Exhibit "A", for the provision of the following governmental services and facilities:

Construction and maintenance of local, collector and arterial streets as shown on the city's street classification map or as otherwise included in the city's street classification map or as otherwise included in the city's most recently adopted Comprehensive

Development Plan, including curbs, sidewalks, street lights and devices to control the flow of traffic on local, collector and arterial streets;

Public transportation, including but not limited to services intended to reduce the volume of automobile traffic, to transport two or more persons in conveyances, to improve air quality, and to provide bicycle and pedestrian facilities and the operation of a Traffic Management Association or similar entity;

Development and management of terminal and parking facilities and adjacent development;

Development and management of parks, recreational, and cultural areas and facilities;

Development, storage, and management of storm water.

Such other services and facilities as may be provided for by general law.

BE IT FURTHER RESOLVED, that the City Council relies on the facts certified by the Tax Commissioners of Fulton County as to the satisfaction of conditions relating to the consent of property owners and that neither the City nor the City Council will undertake any obligation to verify said certification and shall assume no liability for any errors and omissions of the Tax Commissioner;

BE IT FURTHER RESOLVED, that any projects and activities which may be undertaken by the CID will be governed by such conditions as will insure their compatibility with adopted City policies in planning for the area;

BE IT FURTHER RESOLVED, that the Chairman of the Finance/Executive Committee, who is made an ex officio member of the Board by the terms of Section 5 of the Act, 1991 Ga. L. 3653, 3661, after appointment by the President of Council, be so appointed and serve on the Board pursuant to the terms of the Act.

BE IT FURTHER RESOLVED, that the Mayor and President of Council, who are each given the right to appoint one member of the Board by the terms of Section 5 of the Act, 1991 Ga. L. 3653, 3661, so appoint said Board member who shall serve pursuant to the terms of the Act.

BE IT FURTHER RESOLVED, that a caucus of electors, as defined in the Act, be held within 60 days at Front Page News, 351 Moreland Ave NE, Atlanta, GA 30307 for the purpose of electing six (6) additional District Board Members. Registration shall begin at 5:30 o'clock p.m. and conclude at 6:00 o'clock p.m., at which time the election caucus will convene.

Notice of said caucus shall be given to the electors by publication in the legal organ, the Fulton County Daily Report on four dates, at least forty-five (45) days, thirty one (31) days, seventeen (17) days, and ten (10) days, respectively, prior to such election.

Post 4 on the District Board shall be an "Elector" post, with that board member elected by a majority vote of the electors present and voting at the caucus, on the basis of one vote for each elector. This board member shall initially have a two-year term. Thereafter, the term for this post will be four years.

Posts 5, 6, 7, 8 and 9 on the District Board shall be "Equity Elector" posts, with each board member elected by a majority of the votes cast by the electors present and voting at the caucus, with each elector having one vote for each \$1,000.00 (or fraction thereof) in assessed value of the property owned by the elector subject to taxes, fees or assessments levied by the Board. Post 6 and 8 board members shall initially have two year terms, and Post 5, 7 and 9 board members shall initially have four year terms. Thereafter, the terms for Posts 5, 6, 7, 8 and 9 will be four years.

One or more of the appointed board members shall conduct the initial caucus of electors. If no board members are appointed by the date set for the caucus, the City Attorney or a designee appointed by the City Attorney shall preside at the initial caucus of electors;

BE IT FURTHER RESOLVED, that all Board members take an oath of office upon election or appointment to faithfully administer their duties under the Act.

BE IT FINALLY RESOLVED, that the Mayor be and is hereby authorized to enter into a Cooperation Agreement with the CID Board to allow for the provision of services and facilities as provided under the Act substantially in the form attached hereto, as Exhibit "C" with such further changes as the City Attorney shall deem appropriate and shall not be binding on the City and the City shall incur no liability upon same until execution by the Mayor and delivery to the CID Board.

| | | | | | | | |
|--|--|---|--|--|--|--|--|
| <p>(Do Not Write Above This Line)</p> <p>A RESOLUTION BY COUNCIL MEMBER KWANZA HALL</p> <p><i>[Signature]</i></p> <p>A RESOLUTION CONSENTING TO THE CREATION OF THE LITTLE 5 POINTS COMMUNITY IMPROVEMENT DISTRICT AS AUTHORIZED BY THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA IN THE ATLANTA COMMUNITY IMPROVEMENT DISTRICT ACT AND BASED ON THE CONSENT OF THE MAJORITY OF THE OWNERS OF REAL PROPERTY WITHIN THE DISTRICT BOUNDARIES; AND FOR OTHER PURPOSES.</p> | | <p style="text-align: center;">First Reading</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Referred To _____</p> </td> <td style="width: 50%; vertical-align: top;"> <p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Action Fav, Adv, Hold (see rev. side) _____</p> <p>Other _____</p> <p>Members _____</p> <p>Refer To _____</p> </td> </tr> <tr> <td style="width: 50%; vertical-align: top;"> <p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Action Fav, Adv, Hold (see rev. side) _____</p> <p>Other _____</p> <p>Members _____</p> <p>Refer To _____</p> </td> <td style="width: 50%; vertical-align: top;"> <p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Action Fav, Adv, Hold (see rev. side) _____</p> <p>Other _____</p> <p>Members _____</p> <p>Refer To _____</p> </td> </tr> </table> | | <p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Referred To _____</p> | <p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Action Fav, Adv, Hold (see rev. side) _____</p> <p>Other _____</p> <p>Members _____</p> <p>Refer To _____</p> | <p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Action Fav, Adv, Hold (see rev. side) _____</p> <p>Other _____</p> <p>Members _____</p> <p>Refer To _____</p> | <p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Action Fav, Adv, Hold (see rev. side) _____</p> <p>Other _____</p> <p>Members _____</p> <p>Refer To _____</p> |
| <p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Referred To _____</p> | <p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Action Fav, Adv, Hold (see rev. side) _____</p> <p>Other _____</p> <p>Members _____</p> <p>Refer To _____</p> | | | | | | |
| <p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Action Fav, Adv, Hold (see rev. side) _____</p> <p>Other _____</p> <p>Members _____</p> <p>Refer To _____</p> | <p>Committee _____</p> <p>Date _____</p> <p>Chair _____</p> <p>Action Fav, Adv, Hold (see rev. side) _____</p> <p>Other _____</p> <p>Members _____</p> <p>Refer To _____</p> | | | | | | |
| <p><input type="checkbox"/> CONSENT REFER</p> <p><input type="checkbox"/> REGULAR REPORT REFER</p> <p><input type="checkbox"/> ADVERTISE & REFER</p> <p><input type="checkbox"/> 1st ADOPT 2nd READ & REFER</p> <p><input type="checkbox"/> PERSONAL PAPER REFER</p> <p>Date Referred _____</p> <p>Referred To: _____</p> <p>Date Referred _____</p> <p>Referred To: _____</p> <p>Date Referred _____</p> <p>Referred To: _____</p> | | <p style="text-align: center;">FINAL COUNCIL ACTION</p> <p><input type="checkbox"/> 2nd <input type="checkbox"/> 1st & 2nd <input type="checkbox"/> 3rd</p> <p style="text-align: center;">Readings</p> <p><input type="checkbox"/> Consent <input type="checkbox"/> V Vote <input type="checkbox"/> RC Vote</p> <p style="text-align: center;">CERTIFIED</p> <p style="text-align: center;">MAYOR'S ACTION</p> | | | | | |